

**BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY**

IN THE MATTER OF:

) Case No. 3325  
)

RANDY E. COLLINS, D.O.  
Holder of License No. 1546 for the  
practice of osteopathic medicine in the  
State of Arizona.  
\_\_\_\_\_)

) **FINDINGS OF FACT, INTERIM**  
) **CONCLUSIONS OF LAW, AND**  
) **ORDER OF SUMMARY SUSPENSION**  
)

The AZ Board of Osteopathic Examiners (hereafter "Board") held a public meeting on March 12, 2004 regarding Randy E. Collins, D.O. (hereafter "Respondent"). Respondent was present for the meeting, and was not represented by counsel. Following the Board's review of information obtained pursuant to A.R.S. §§ 32-1855 and 32-1855.01, and having considered the information given in the matter and being fully advised, the Board enters the following Findings of Fact, Interim Conclusions of Law, and Order of Summary Suspension, pending an Administrative Hearing.

**FINDINGS OF FACT**

1. The Board is empowered, pursuant to A.R.S. §§ 32-1800 et seq. to regulate the licensing and practice of osteopathic medicine in Arizona.
2. The Board has the authority to summarily suspend an osteopathic license pursuant to A.R.S. § 32-1855(C) and § 41-1064 when the physician may not safely engage in the practice of medicine and is an immediate threat to the public's health, welfare and safety.
3. Respondent holds license No. 1546 to practice osteopathic medicine in Arizona.
4. On August 31, 2003, Respondent consented to the Board's entry of an Order of Probation of License. The Order was effective September 11, 2003. One term of that Order was that "Respondent shall abstain completely from the consumption of alcoholic beverages or any substance with alcohol..."

5. On Monday, February 23, 2004, Respondent submitted a urine sample for testing at 4:40 p.m. MST. On March 8, 2004, the Board was notified that the sample tested positive for alcohol, showing the presence of the Ethyl Glucuronide at 4,100 ng/ml. According to National Medical Services, Inc., the laboratory that conducted the test, "Any value greater than 250 ng/ml indicated Ethanol consumption within 24 hours of the specimen collection."

6. At the meeting on March 12, 2004, Respondent stated that he had practiced on February 23, 2004. Respondent also stated that he had used Listerine, which contains alcohol, and used alcohol scrubs in his practice.

7. In public session, the Board voted on March 12, 2004 that Respondent is medically and/or psychologically unable to engage in the practice of medicine and is an immediate threat to the health and welfare of the public.

#### **INTERIM CONCLUSIONS OF LAW**

1. Pursuant to A.R.S. § 32-1800, et seq. the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The conduct and circumstances described in paragraphs 4 and 5 above constitute unprofessional conduct as defined in the following paragraphs of A.R.S. § 32-1854:

(3) Practicing medicine while under the influence of alcohol, narcotic or hypnotic drugs or any substance that impairs or may impair the licensee's ability to safely and skillfully practice medicine.

(20) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any of the provisions of this chapter.

(26) Violating a formal order, probation or a stipulation issued by the Board under this chapter.

(40) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

(41) Any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

3. The Board has the authority to summarily suspend an osteopathic license pursuant to

A.R.S. § 32-1855(C) and § 41-1092.11(B) when the physician may not safely engage in the practice of medicine and is an immediate threat to the public's health, safety and welfare.

**ORDER OF SUMMARY SUSPENSION**

**NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:**

Pursuant to A.R.S. §§32-1855(C) and 41-1064(C), License No. 1546 held by RANDY E. COLLINS, D.O., to practice osteopathic medicine is **SUMMARILY SUSPENDED** in the State of Arizona, effective March 12, 2004, pending further disciplinary proceedings or further Order of the Board.

ISSUED this 12th day of March, 2004.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY

  
Elaine LeTarte, Executive Director  
9535 E. Doubletree Ranch Road  
Scottsdale AZ 85258  
(480) 657-7703

Copy faxed on March 12, 2004 to:

Randy E. Collins, D.O.  
602 375-2200

Copy mailed by U.S. certified mail  
(return receipt requested) this 15<sup>th</sup>  
day of March, 2004 to:

Randy E. Collins, D.O.  
15650 N Black Canyon Hwy, #121  
Phoenix AZ 85053

Copies mailed this 15<sup>th</sup> day of  
March 2004 to:

Rob Pulver and Blair Driggs,  
Assistant Attorneys General  
CIV/LES  
1275 W. Washington  
Phoenix AZ 85007

Celina Shepherd